



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket: 1087-3

Applicant(s): Bowdish et al.

Serial No.: 10/006,591

Filed: December 5, 2001

Title: ENGINEERED PLASMIDS AND THEIR USE
FOR IN SITU PRODUCTION OF GENES

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Box Sequence
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Attn: Box Missing Parts

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated January 11, 2002, Applicants enclose herewith a properly executed Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63. Also enclosed is a check for \$130.00 to cover the surcharge under 37 C.F.R. §1.16(e) along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted.

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV076636494US addressed to: U.S. Patent and Trademark Office, 2011 South Clark Place, Customer Window, Box Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington, Virginia 22202 on April 11, 2002.

Dated: April 11, 2002



Peter DeLuca

In compliance with requirements of 37 C.F.R. 1.821-1.825, submitted herewith is a Sequence Listing in both computer readable form and in a paper copy. The content of the paper copy and the computer readable form are the same and include no new matter.

If the enclosed check is insufficient for any reason or becomes detached, please charge the required fee under 37 C.F.R. § 1.16(e) to Deposit Account No. 50-2140. Also, in the event any extensions of time are required, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140.

TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Peter DeLuca
Registration No. 32,978
Attorney for Applicant(s)

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PD/gm

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/006,591	12/05/2001	Katherine S. Bowdish	1087-3

CONFIRMATION NO. 3521

FORMALITIES LETTER



OC000000007298446

Peter DeLuca
DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

Date Mailed: 01/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/17/2002 SDIRETA1 00000083 10006591

FILED UNDER 37 CFR 1.53(b)

01 F-C:105

130.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**

- To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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Attn: Box Missing Parts

AMENDMENT

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date

Granted, dated January 11, 2002, please enter into the Specification the enclosed

Sequence Listing in computer readable form and paper copy.

Respectfully submitted,

Peter DeLuca
Registration No. 32,978
Attorney for Applicant(s)

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Suite 225
Melville, New York 11747
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Peter DeLuca